

1 WAYMO LLC,

2 No. C 17-00939 WHA

3 Plaintiff,

4 v.

5 UBER TECHNOLOGIES, INC.;  
6 OTTOMOTTO LLC; and OTTO  
7 TRUCKING LLC,8  
9 **ORDER RE REQUESTS FOR  
10 ADDITIONAL REDACTIONS  
11 TO JACOBS LETTER**

12 Defendants.

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14 A prior order dated November 29 approved limited redactions to the May 5 letter from  
15 counsel for Richard Jacobs and denied several other sealing requests. That order set a deadline  
16 for today at noon to obtain emergency relief from the court of appeals (Dkt. No. 2307). Instead  
17 of timely seeking appellate relief, on December 12, Jacobs filed a request for leave to file a  
18 motion for reconsideration (Dkt. No. 2374). The request proposes additional redactions to the  
19 Jacobs letter. It recites but fails to meet the standard for reconsideration. To give just two  
20 nonexhaustive examples, the new request proposes redactions that Jacobs did *not* seek in his  
21 original motion to keep portions of the Jacobs letter under seal (*compare, e.g.*, Dkt. Nos. 2299-2  
22 at 2 *with* 2373-3 at 2). The new request also provides, without justification, information that  
23 Jacobs's original motion did *not* present to the Court prior to the November 29 order (*compare*  
24 Dkt. Nos. 2299-1 *with* 2373-5). Nevertheless, the Court has reviewed the new request and will  
25 accept Jacobs's proposed redactions numbered 1–3, 11–13 (as to the names only), and 18 (as to  
26 the description of the employee only), in addition to the redactions previously approved in the  
27 November 29 order.

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1       Subject to the foregoing, Jacobs's request for leave to file a motion for reconsideration  
2 (Dkt. No. 2374) is **DENIED**. Pursuant to the November 29 order, the letters from the Office of  
3 the United States Attorney and Jacobs's objection will be unsealed and re-filed on the public  
4 docket unless emergency relief is obtained from the court of appeals by today at noon. Public  
5 re-filing of the Jacobs letter, however, is postponed until **DECEMBER 15 AT NOON** to give  
6 Jacobs an opportunity to obtain emergency relief from the court of appeals regarding this order.

7       Jacobs's accompanying administrative motion to file portions of Martha Boersch's  
8 declaration under seal (Dkt. No. 2373) is **GRANTED IN PART** to the extent stated above. Since  
9 the Jacobs letter is already scheduled for public re-filing, no separate public re-filing by Jacobs  
10 is necessary in connection with this order.

11       Yesterday, defendants also filed a request for one additional redaction to the Jacobs  
12 letter (Dkt. No. 2381). Their request is subsumed within Jacobs's proposed redaction number  
13 12, which, as stated, the Court will accept and include in the public re-filing of the Jacobs letter.  
14 It is therefore **DENIED AS MOOT**.

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16       **IT IS SO ORDERED.**

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18       Dated: December 13, 2017.

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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

